

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1161

In re: JIANQING WU, and all others similarly situated,
Petitioner.

On Petition for Writ of Mandamus. (8:15-cv-01924-PWG)

Submitted: July 21, 2016

Decided: July 25, 2016

Before SHEDD, AGEE, and WYNN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Jianqing Wu, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jianqing Wu petitions for a writ of mandamus seeking an order compelling the district court to follow federal and local rules of procedure in managing his case and for recusal of the district court judge. We conclude that Jianqing Wu is not entitled to mandamus relief.

Mandamus relief is a drastic remedy and should be used only in extraordinary circumstances. Kerr v. U.S. Dist. Court, 426 U.S. 394, 402 (1976); United States v. Moussaoui, 333 F.3d 509, 516-17 (4th Cir. 2003). Further, mandamus relief is available only when the petitioner has a clear right to the relief sought. In re First Fed. Sav. & Loan Ass'n, 860 F.2d 135, 138 (4th Cir. 1988).

Jianqing Wu has failed to demonstrate that he is entitled to the relief he seeks. Accordingly, we deny Jianqing Wu's motion for initial hearing en banc and deny the petition for writ of mandamus. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED